

C•UMLaw Cites

*Wit and Wisdom
from Faculty on Legal
Issues of the Day*

“Individual states could give free persons of color whatever rights they thought, but those rights would not be recognized in federal court.”

— Prof. **Mark Graber**, in a C-SPAN discussion on the 150th anniversary of the Supreme Court’s decision in *Dred Scott v. Sanford* that all people of African ancestry—slaves as well as those who were free—could never become citizens of the United States.

“With representation from the outset, many people would not be spending unnecessary time in jail and taxpayers would not be spending huge sums for people who should be released pending trial.”

— Prof. **Doug Colbert** in *The Sun* after his Clinical Law Program students worked to file a class action suit on behalf of indigent defendants denied counsel at their preliminary bail hearings.

“When it comes to ozone pollution, the cop is off the beat. Laws that aren’t enforced aren’t respected.”

— Prof. **Rena Steinzor** in the *Washington Post* on deep cuts in federal spending for state and local air pollution programs.

“At least six states and some counties prohibit foster parents from smoking when foster children are present. There are times when it’s appropriate to regulate what people can do in their home. The state is responsible for that child.”

— Prof. **Kathleen Hoke Dachtel**, director of the Legal Resource Center for Tobacco Regulation, Litigation & Advocacy, in *USA Today*.

“Maryland’s disenfranchisement laws sit outside the mainstream in the United States. Maryland is one of only eleven states that permanently disenfranchise some residents. Sixteen states have changed their laws in recent years to ease various voting restrictions. Maryland is among these states, but the lifetime voting ban that remains for some offenses is a reminder of the dark past, when disenfranchisement laws across the South strived to bar African-Americans from voting booths.”

— Prof. **Michael Pinard** in a *Washington Post* op-ed supporting legislation whose subsequent approval restored the Maryland voting rights of ex-offenders.

"The time is ripe in America to confront our history of racial violence. As more of the first-person observers... begin to die, stories about the history of racial violence will often survive on misinformation and rumor. Unless steps are taken forthwith to break the silence, we will have lost the valuable contribution of those who can tell what it felt like to bear witness to this aspect of community life in America."

— Prof. **Sherrilyn Ifill** from her book *On the Courthouse Lawn*.

"Five justices of the Supreme Court told the president that he must be controlled by the principles that Congress has set down for how to treat detainees caught in the war, and that there are prescribed procedures he must follow and he does not have unilateral authority to make his own decisions in this area."

— Prof. **Michael Greenberger**, director for the Center of Health and Homeland Security, on ABC News "World News Tonight," after the Supreme Court ruled that wartime tribunals created to try detainees at Guantanamo Bay are not valid under U.S. law or international treaties.

"We should not allow discrimination because somebody gets genetic information that tells them that something in their genetic code says they have a predisposition to heart disease or cancer or whatever. I think what we as a society have to say is, 'Look, we all have a number of mutations in our genetic makeup that predispose us to diseases or conditions.' You can never guarantee legislation will eliminate hate or fear, but we can try."

— Dean **Karen Rothenberg** from her Congressional testimony supporting genetic nondiscrimination.

"The city standards are grossly out of compliance. There is no disagreement that [the current zoning law] is violating federal laws. You're treating people with drug and alcohol problems differently than others that have medical conditions."

— Prof. **Ellen Weber** in *The Sun*, before Baltimore amended its zoning on treatment facilities to comply with federal laws.

"There is no rational reason to exclude same-sex couples from the institution of marriage. None of the purposes the state offers will be undermined by allowing same-sex as well as opposite-sex couples to marry."

— Prof. **Jana Singer** in *The Sun*, before the Maryland Court of Appeals heard arguments over whether the state constitution allows gay couples to marry.